

RESPONSE UNDER 37 C.F.R. 1.116 -
EXPEDITED PROCEDURE - EXAMINING GROUP 1638

Attorney's Docket No. 049202/289226

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Werner *et al.* Confirmation No.: 9269
Appl. No.: 10/535,763 Group No.: 1638
Filed: May 20, 2005 Examiner: Page, Brent T.
For: METHOD OF CONTROLLING A CELLULAR PROCESS IN A MULTI-CELLULAR
ORGANISM

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION AND FEE FOR EXTENSION OF TIME 37 C.F.R. § 1.136(a)

1. This is a petition for an extension of time for a total period of 3 months to respond to the Office Action dated January 5, 2009.
2. Applicant is a small entity; other than a small entity.
3. Calculation of extension fee (37 C.F.R. § 1.17(a)(1)-(a)(5));

| Total Months <u>Requested</u> | Fee For Other <u>Than Small Entity</u> | Fee for <u>Small Entity</u> |
|--|---|--------------------------------|
| one month | \$130.00 | \$65.00 |
| two months | \$490.00 | \$245.00 |
| <input checked="" type="checkbox"/> three months | \$1,110.00 | \$555.00 |
| four months | \$1,730.00 | \$865.00 |
| five months* | \$2,350.00 | \$1,175.00 |

*Cannot be used to exceed six-month statutory limit for response to an Official Action.

A check in the amount of \$ is enclosed.

Charge Deposit Account No. 16-0605 for the extension fee.

All fees are being authorized to be charged to Deposit Account No. 16-0605 when electronically filing

Charge Deposit Account No. 16-0605 for any fee deficiency.

Respectfully submitted,

/david m. saravitz/

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